

# WHITE RIVER TOWNSHIP BOARD MEETING

JULY 26, 2011

ATTENDEES: Mark Messick, Greg Rainbolt, Peggy Young, Dave Pollard

Mary Lou Habicht, Jean Pollard, Annette Rainbolt, John Ebert, Tom Lantondress, Brian Smith and Keith Wright

Meeting was called to order by Greg Rainbolt followed by the Pledge of Allegiance.

Greg Rainbolt: Next on the agenda is the approval of the March 15, 2011 White River Township Board Meeting notes. Do I hear a motion to accept the March 15, 2011?

Dave Pollard: I make a motion to approve.

Peggy: I second.

Greg: All those in favor of accepting and approving the White River Township March 15, 2011 WRT Board Meeting say Aye (all board members said Aye, passed 3-0.)

Peggy: Question do you put the transcribed notes in the book as well?

Mark: Yes.

Peggy: OK.

Greg: Next on the agenda is consideration of the Rainy Day Policy. I will let Mark discuss a little bit about that. I know Mr. Higgins isn't here.

Mark: Mr. Higgins isn't here and he asked that I go ahead and give this to you guys. I was going to wait for him to be here to discuss it but he asked that I go ahead and pass it out. He said it is pretty cut and dry. There is the Indiana code that talks about the rainy day fund and here is a resolution that Mr. Higgins has prepared that he would like the Board to consider this evening for passage.

The rainy day fund was established many years ago by the State of Indiana. Originally to have one you had to establish it locally yourself. But what happened in 2003-2004 somewhere in there the State of Indiana had some funds that were left over and they sent it to all the Government entities made a disbursement to them and told them to put it in a Rainy Day Fund. Well most of the townships had not established a Rainy Day Fund at that time but they had to put it in and have a Rainy Day Fund as to where to keep the money because the State said that is where it needed to go.

Dave: When was that done Mark, I didn't get that?

Mark: 2003- 2004 I am not too sure Dave we would have to go back and research that. In our research of our Township records the White River Township Board has never been asked to pass a resolution for the Rainy Day Fund. There was discussion at one time I believe in 2004 or 2005 that one should be prepared but one was never prepared and submitted to the Board for passage. We have funded the RDF according to statute on a couple of times but if we where to want to spend any of the money out of the RDF we would be in violation probably of the SBA because we don't have a resolution that says why we have it and what the purpose is and you know what we need to spend it for. So if you would like I will read the resolution if it is something

you feel like you are comfortable with. I can tell you this; we can't spend any money out of the RDF without going thru the standard appropriations. A trustee or anybody cannot just go in and say we have money in the RDF, let's spend it. The only way it gets spent is having an additional appropriation which you have to advertise, have a hearing with the public and then have a passage. It is similar to your budget process. So if you want me to read it or not it is up to you?

Greg: I would like to put it into a motion and then we will have a discussion on that

Mark: So this would be 2011-06, is that correct?

Greg: Yes.

Mark: Okay. Do you have a second for the motion?

Greg: Do I hear a motion for the WRT Resolution 2011-06?

Peggy: Is it just to discuss?

Greg: Yes, this is just for discussion.

Peggy: Okay, I will second that.

Dave: We are not voting on it right?

Greg: This opens it up for discussion.

Dave: Okay.

Mark: Would you like me to read it?

Greg: Yes please.

Mark: So the public knows what we are talking about. (Mark read the WRT Resolution 2011-06.)

Greg: Motion is being made and after hearing this do I hear any discussion from the board on this matter?

Peggy: So when, I'm looking at the March minutes and looking back, so all of the boxes were checked on all of the folders to make sure there wasn't a resolution?

Mark: Right. We have checked everywhere that we can. I even have sent a letter to Jim Higgins because when we found out when the money was originally put in he was the township adviser at the time and I asked him to send us a copy because he would have been the one who prepared the resolution and he can't find it in his files anywhere. He finds notes that Dan Maple and him talked about it. There are notes that it was talked about in the board meeting and in the previous years the board actually funded the RDF from unencumbered funds there has never been a resolution actually establishing the purpose and usage for WRT.

Peggy: This does not really establish what the purpose is, correct?

Mark: It establishes that the purpose is that we can take unencumbered funds and unused funds and take 10% of that for our budget year and put it in the RDF. It further establishes that at your discretion and thru your appropriation method that it can be spent according to areas that you feel like it needs to be. Yes it does establish how it can be used.

Greg: And that is going to be subject to ...

Mark: Strictly to the board.

Greg: The appropriation process and that does not lock us down in one particular area. If there is a need we can go and use it.

Mark: However you see that it is best for the citizens of WRT as it relates to the code that we are under, township government. You can't spend it for something that does not relate to township government.

Greg: Right. Any other questions or discussion on this matter? Seeing none and hearing no further discussion I will entertain a call for the question. The question is whether to adopt the WRT Resolution 2011-06.

Peggy: I still have a question, I'm sorry. Did you get any opinions from our attorney about this resolution?

Mark: Yes. If we were to go in and spend money out of the RDF, let's say that we ran short on funds this year for assistance which can be and has been a concern of mine. If we did it I would probably be the person reliable if I let that happen and spent the funds. If we spent money for assistance in that area, it could come back on me personally if I allowed it to happen.

Dave: I thought the board had control of the way that it is spent, why would it be on you?

Mark: Because it is my signature on the check. You can do what you want, until I write the check, the check does not get mailed. I would be responsible if we misspent funds in the township, the trustee, that is in the code. It says that I'm personally responsible for misspent funds. So at that point and time even though you said we could use it if we did not have this I would go to the lawyers and ask them to give me a written bill saying that I could do this without having to establish a RDF.

Dave: What happens when you have misspent funds?

Mark: It comes back to the trustee.

Dave: What happens to the trustee?

Mark: Well it is up to the prosecutor, it is up to the state attorney, the code says that the funds shall be recovered.

Dave: Well it has happened before.

Mark: I'm just telling you the bill says it shall be recovered. At my time on the board the only time we have misspent funds it was put back into it and Mr. Maple was the one who was made to put back into it.

Peggy: So the funds have never been used, in all the years that you have been on the advisory board?

Mark: No. We have \$700,000 in the bank.

Peggy: Not in the Rainy Day.

Mark: Not in the Rainy Day but we have funds and we can appropriate funds and that is part of the reason that the township government is under a little bit of heat right now because you have all of this money sitting in the bank and you need to spend it.

Dave: The taxpayers aren't complaining, who is complaining?

Mark: I think anytime the taxpayers pay more taxes than they need to and they realize that they have given the government a dollar that they did not need to give it them, that they could have kept it and used it for their own investments, that they do complain. I think a majority of them do.

Dave: I have not heard a one.

Greg: Everything on this resolution is pretty self-explanatory. If any funds were going to come out we would have to appropriate those funds thru a meeting and that safeguards the funds there. So do we have any further discussion? Peggy?

Peggy: I don't think so.

Greg: Hearing no further discussion I will entertain a call for the question. All those in favor of WRT Resolution 2011-06, all those in favor say Aye (all board members said Aye). Any opposed no. So the resolution passes 3-0.

Mark: Thank you. We will need a signed copy for the township records and also a signed copy for your records. We can do that afterwards.

Peggy: Should we have the correct date instead of a pen?

Greg: We can initial it.

Mark: A pen will work. I just noticed that he put the 28<sup>th</sup> on there, today is the 26<sup>th</sup>.

Peggy: Okay.

Greg: Okay, that takes care of that part of the agenda. Let's move to the next item, Discussion of the budget calendar and current financial status. That will be a presentation by Mark also.

Mark: I will give everybody a copy of this. The first item you see there is just the proposed 2011 budget adoption schedule. What it talks about there are legal dates and proposed dates. Most of this is something that I have to do. I have to get the ad put in in the right amount of time and I asked for this in particular so that we don't have the case where we were supposed to do something by August 1 and find out that we don't do it until August 10 and everybody is upset, so these are the legal dates that have the deadlines so you can see those. I'm just making you aware of those so that you can be part of it. If you have any questions you can ask me if we have done certain things when we were supposed to do them. The second calendar is the actual calendar and what I would like to see and I would propose is that in previous years when the budgets have been worked we have just been giving them at the hearing and then the board either adopted them or they did not adopt them. I am proposing that we have a budget workshop and a general discussion between the board and myself and that we do that on August 9 in order that I can meet these deadlines for advertisements and things like that and so that you are part of the process.

Dave: What time?

Mark: It would be a 7 o'clock meeting or whatever your normal time is. Then if we needed an additional meeting then we can have it as late as August 30<sup>th</sup> but at that point and time we are tied into some advertising and it would just be kind of a deal where I would know going into the hearings that there would probably be some changes made and we can make the public aware and in all of this process the public would be part of our meetings too but it would not just be anything like here it is, I need you guys to sign this with no discussion, no anticipation of you know why is he proposing these things. So the first thing is I would like you to adopt the second calendar and then if you look at the second page on there you look at September, in September there is a nonbinding hearing with the Johnson County Council that I will be attending and if any members of the board would want to attend that meeting they

may also and gets questions answered from the council members. There again that is another opportunity to meet before the public and answer questions about the proposed budget. On the calendars that I gave you, I gave you notes to tell you when the formal hearings are. The formal hearings are set because we have already had a workshop with the State. The State would like our meetings to be Tuesday, October 4<sup>th</sup> for the public hearing that we be advertised and that would be a hearing when the taxpayers could appear and then the adoption to be Tuesday, October 18<sup>th</sup> at 7:00. If for any reason the meeting needs to be continued because of lack of a quorum or anything else, the last day that we can submit to the Johnson County Auditor and have our budget considered is the last day of October. So we need to get things done before then.

Greg: Now on these August dates, August 9<sup>th</sup> and August 30<sup>th</sup>, are you wanting a regular public meeting on this?

Mark: It has to be a public meeting. I'm thinking that the 30<sup>th</sup> may not be needed but if for some reason you guys wanted to do some other stuff before you got back, I'm going to be providing you with some stuff tonight that I don't want to talk about tonight but I want you to take and look at and that will be the process that we start with that meeting.

Greg: Now do you want a special meeting just for the budget only or...

Mark: I don't really think that we need to be considering anything else that night but that is up to you, I'm not going to dictate to the Board what they do.

Greg: Okay.

Mark: I would ask that you talk about that now and let me know if we are going to have a meeting that night.

Greg: Okay. Tuesday, August 9.

Peggy: I think I can make it.

Greg: Dave are you in agreement for August 9?

Dave: I will.

Mark: Also the dates in October, those are being advertising.

Peggy: I could have parent-teacher conferences, I do not know, they have not set those dates yet. As of right now I'm open.

Mark: Okay so right now we will consider those meetings are set.

Dave: Yes, August 9 and the rest of them on your calendar.

Mark: Now what I'm going to pass to you is, in order to have the workshop we had to sit down and put together projected numbers that we may want to look at for 2012. There are a lot of things on here. This is a lot different than people have seen in the past. There are numbers on here that have only been thought about in my mind. So this is just that. This is a workshop we had with the state; this is the process that we started. Since I did this there are some numbers on here that I don't know that I agree with. But you know those are things that got the process started. So I am going to pass this out to you for information purposes. I would ask that you go thru it and review it, what you are going to see. Go ahead and pass it out. I really don't want to discuss it tonight other than its format.

Peggy: This was a workshop with the state?

Mark: With the DLGF.

Dave: You have already had this you say.

Mark: I have already had the workshop, yes with them. If you look at the, I'm just going to look at the first page with you. On the left hand column, the first column that you see is budgeted. That is the amount of money that is budgeted for 2011, so that is our budget for this year. The second column is the projected budget for 2012. Those are the numbers you need to pay attention to where there are changes. The third column tells you what those changes are in dollars. The fourth column, it says year's expensed, that is the amount of money we have spent this year. Now because we don't have some line items there are a lot of those line items that don't have no money spent in them that we are projecting in 2012 because in 2011 and years past we have had a great big other column that we spent everything out of. Then the last two columns just tells you the dollars remaining for this year and the percentage. So that just gives you kind of a key for it so as you look at it I would encourage each one of you to call the office and talk to me if you have questions about what certain numbers represent or why they are there. Otherwise we will discuss this in detail at our meeting. That is why we have a lot of stuff here to look at and we will discuss it in detail. If you would like I will prepare a short white paper explaining to you why the numbers are on here like they are so that you know what they represent. An example would be under Capital Outlays for land, that last item on the first page says \$100,000. That would be an example I as a board member would be jumping up and down saying why do you want to spend \$100,000 Mr. Trustee and I will let you know that. But I will send you a paper telling you why those numbers are there and what they represent. I have mentioned to Greg what the \$100,000 is because I did not want him to fall off the table.

Dave: Well it is kind of shocking.

Mark: It is money we probably will not spend but we may need to budget.

Peggy: And we will talk in detail?

Dave: Yes.

Greg: Definitely but not tonight. On this year to date expenses that you gave us on assistance, when did you print this out?

Mark: This is year to date right up until the end of today. Those are current as of today. There should be a date at the top of your page, is there a date at the top of the page?

Dave: Yes.

Peggy: From 1/1 to...

Mark: No at the very top right.

Greg: Okay, yes you're right.

Mark: That is the time that they were printed.

Dave: It says 16:23 on the 26<sup>th</sup> of July, 2011. Does anybody know what 16:23 is?

Peggy: 3:23, no 4:23.

Mark: That tells you what time they were printed today. They are current. Other than that, I think the rest of this discussion was part of where we are at currently. This represents pretty much a yearend report; I give it to you every time we meet. That goes right thru today's date. So you can look at that, that is where we are financially. I would like to talk about two things on that. If you look on the first page under township fund, come over to column D, it says cash balance, does everybody see that number? It is a negative \$102,502.73. When we invested our funds, every time we have ever invested we have always invested township funds. So what has happened is since we are pretty well invested we have over invested township funds because we have never invested Rainy Day Funds. We can't invest in RDF until a couple of CDs mature in October. I have talked to SBA, I have talked to DLGF, they are concerned about that bottom number only where it says \$42,602.24. They are saying we are solvent and we don't have to worry about it because that is how much money we have in the bank and we can pay our bills. So in October that number that is \$102,502.73 that will reverse itself and become a positive number again. The other number that you should be concerned with is the subtotals of all funds at the right hand side on the bottom before you get to the blacked out areas. Currently we have in the bank as of today \$717,602.24. So there again you can feel like your township is solvent.

Dave: Go back to that Rainy Day Fund again. You said you had taken any of the, I forget.

Mark: Haven't spent any of the money.

Dave: Yes.

Mark: Haven't invested of it.

Dave: You have not invested any of it.

Mark: No.

Dave: But you can invest it without us? You said we had control of it. If we have control how can you invest it?

Mark: I can invest it. What happened is when we went and made the investments in March because we had all of that extra money we hadn't moved the funds yet and we did not have enough money in there really to make it worthwhile to invest but we went ahead and made the investments at the advice of our financial adviser. Then we moved the funds and so you are seeing the RDF that is the current amount for the RDF is \$90,823.78. We got a few dollars this year from the State of Indiana for RDFs.

Dave: Don't you get so much every month from the county?

Mark: We get money from the county. We got \$186 from the state this year for the RDFs. Well they sent it to us and said you have to put this in your RDF. So that is why that is greater than the amount that you appropriated. You appropriated \$36,558.10 and receipts this year are \$36,744.10. So if you take the difference that \$186 that is why that is different. If you have any questions on any of this call me. I will be glad to talk to you about anything that is in here. The other thing that I would just like to make you aware of, we have had to move funds around because we were showing on our books that we had \$679,682.32 in investments and we only had \$675,000.00 in investments. (end of cassette)

Mark: In researching it what I found was that \$4682.32 had been put back in just by receiving it into investments instead of receiving it into township funds. That was our interest on CDs and so we had to just do a transfer so that it showed that our CD amounts were correct. So you will see that when you start following thru some numbers on the yearend report but I will kind of explain that to you now. There is also in the past you have seen \$30 in a fund that was called the building fund. At the advice of our financial adviser and also checking with the DLGF we needed to zero that out so we transferred that \$30 from the building fund into the township fund. So you will see that at the end of the year also. That is just to clean things up. That is all that I have for the financials unless someone has a question.

Greg: At the moment I don't, if I have some questions later on with disbursements and everything I will contact you.

Mark: Just drop back to the budget, I forgot one thing. During the budget process if you look in your manual under DLGF and SBA they recommend that we pass a township form 17 at the same time that we pass our budget. The township form 17 which you are familiar with is the establishing the salaries for the township officers and employees so when we have our meeting on the 9<sup>th</sup> that is going to be part of what I am going to present to you is that resolution. I am not going to ask for passage of it but I am going to present it to you so you can take a look at that at the same time. I apologize for not doing that earlier.

Greg: That is fine. So that is all on that. Let's move onto the next item on the agenda which is consideration of the tall weeds control policy.

Mark: Hopefully I have given everybody a copy of what the township executive's responsibilities are in which it was outlined that #13 is destroy detrimental plants, noxious weeds, rank vegetation and it also describes what they are and then towards the back it talks about how we can go about performing our duties on that and then it says on IC15-16-8-13 violation, failure of the trustee to perform his duties section 13, if the trustee fails to perform the duties required by the trustee of this chapter commits a class C infraction. As a result I created a township tall weed control policy which is fluent right now but I would like to bring it before the board to see if the board would like to advise and consult with me on that and then pass a resolution agreeing to a policy. I also because I was asked did I need the board's approval to do that, I sought legal counsel and legal counsel has indicated no this is a policy that I can do without the board but that is not my intent. Since I have had a little bit of push back on the weed control I have not proceeded any further with giving any additional notices out but I would like to say that the notices that we did give out, out of the 12 that we gave out 10 were taken care of and we have about 8 to 9 right now that I need to be giving out. These are our neighbors that are in violation but these are also our neighbors that their property values and their safety because of rodents and because of not being able to see holes in the ground and different things like that that we have concerns for too. So it is not just the ones that are in violation but it is the ones who live next to them that have concerns also. I would ask that you look at that resolution I gave you all a copy of that I believe, didn't I?

Greg: I have it somewhere here.

Dave: Mark lets go back, go ahead, I will get with you.

Greg: If you want to make this a resolution this would be 07. Do I hear a motion to consider WRT Resolution 2011-07?

Peggy: And this is just for discussion.

Greg: This is just for discussion.

Peggy: I will make a motion.

Greg: I have one motion, Dave?

Dave: For discussion go ahead.

Greg: I have a first and a second and we will get into the discussion stages of the WRT Resolution 2011-07. We can go thru and read it but personally I don't think we need to unless someone in the audience wants to hear this. I have some thoughts on it and I applaud you for taking a lead on this and I know there is a lot of foreclosed housing and things like this but I really don't see a need for this resolution because you have all of the authority under the statute. I know there has to be a way, we will have to determine the payment process and that but as far as being a resolution that we need to adopt I think he has the authority to do what he can and I think with this this is kind of redundant with what is already there.

Dave: It tells you in here what he has to do.

Mark: In best practices from the SBA if you attend those meetings they suggest that you have policies and especially in areas in which township funds are going to be appropriated and one of the things that it says in this IC deal is that the board shall appropriate money for the trustee to perform his duties in this area and so we are going to be talking about this in the budget process and I would think that as a body of the board that you would want to have some approval on the procedures on how those monies are spent. With a policy is the only way you can get that. I can establish a policy and do it the way I want to according to how I view the IC code. It does not say in the statute that I have to follow your guidelines for how to spend the money. It just says that you have to appropriate the funds so I can do it.

Dave: But it does not even say that you have to do it. It says you can have it done.

Mark: Right.

Dave: Let's read IC-36-7-10.1.

Mark: Go ahead Dave.

Dave: A municipality city or town or a county must adopt an ordinance defining the height of weeds that are considered rank vegetation. That statute does not apply to townships. Why do you need a resolution?

Mark: Mainly because the county, a majority of us live in the county and the county has in their process said and I got a letter and I gave everybody a copy of the letter that I received from the county attorney saying that they wanted us, they are going to start sending the complaints to us.

Dave: Well they are backing off what they are supposed to do because it says right here that the county has to establish a board and they don't have a board. It says right here.

Mark: This goes back to the code to me to take care of rank vegetation in the township.

Peggy: That is state's statute.

Mark: Yes that is state's statute.

Peggy: It spells out what you are expected to do.

Mark: Then the county has conveniently put it back to us too by saying that we have the authority to do it if we so deem to and now it seems like they are pushing back saying not only do you have the authority but we are going to force it on you. For Canadian thistle, for certain noxious weeds, that is on me no matter what.

Dave: Who identifies them?

Mark: If I see them I have to act on them. If they are identified by a member of the public and they bring it to my attention I have to go and investigate.

Dave: Are you are qualified to identify them?

Mark: Yes.

Dave: You know one weed from the other?

Mark: I have pictures.

Peggy: You don't go out scouring the township.

Dave: Also IC-15-16-8-4 says assistance to township trustee, the Purdue University Cooperative Extension shall provide technical assistance to township trustees for control of detrimental weeds.

Mark: And they have, they have been very helpful. I got a call to go out today to 1600 Paddock Rd. Someone had said that there was Canadian thistle at 1600 Paddock Rd.

Dave: Well everybody knows what they are.

Mark: So I went out and I could not discover, I saw some tall weeds but that plot is kind of like a farm plot so it is more than 200 feet from the property so they can let their weeds grow tall by statute also. I did not find any Canadian thistle. So I'm reporting back that there is no Canadian thistle in that field. Now if someone wants to question that and drive me out there and show me different, that is fine, I did what I needed to do. I have the State of Indiana coming out either tomorrow or Wednesday after almost 2 weeks of fighting with them, there is a whole bunch of Canadian thistle in our right of way on State Rd 37 and that is their responsibility because this year they decided they are only going to cut it three times and only twice of those three cuts are they going to cut from fence to fence. Canadian thistle has grown up quite a bit. As a result they are going to have to take care of it and they are going to do it tomorrow or Wednesday finally because I have told them, I have warned you, I have given you plenty of time, if I have to hire a crew to go out there and spray all of that Canadian thistle that is probably going to cost more than cutting that whole right of way and so they are sending a maintenance crew out tomorrow to take care of it.

Dave: How do you find these?

Mark: Complaints. I have a couple of citizens in the county who love to send us, we have a file from all of the previous years and there are about 3 or 4 they are just about like weed control people, they will call you on a regular basis.

Dave: You don't go out looking for them?

Mark: I don't go out looking for them. I tell you this though, if I get a phone call it is one of the things that I do. I got a call on a piece of property on Olive Branch Rd. I went out and looked at it. I got a call on a property over on Fairview. I went out and looked at it. Any of them that we get a call on I personally go out and view.

Dave: Do you know who the complainant is?

Mark: Yes, we write their names down and phone numbers because I call them back. Not only do I get a call from them but I return their phone call. This is just something that I want to work with you guys on.

Greg: Right.

Mark: This is going to kind of be our policy. The one thing that I don't necessarily know this is something that a lawyer wrote up because by gosh I'm not a lawyer, that they would have you guys be the appeals, that the board would be the appeal. Well I don't know if I agree with that. I think that it should be the county commissioners.

Dave: It says in here the county should be the appeal.

Mark: I'm talking about on our policy. When he wrote it up he wrote it up that you guys would be the appeal process and I personally feel like it should be the county commissioners because they are the ones that if we have an appeal to anything that I do, it goes to immediately. You guys don't meet regularly enough that we need an appeal boards.

Dave: If you are going to follow their advice on one subject why wouldn't you follow it on both of them? It says in there that they are the ones to appeal to. You are telling me they are the ones that says you have to do this so why not let them do it all?

Mark: That is what I'm saying Dave, I think they should do it.

Dave: Good.

Mark: I'm saying I don't necessarily agree with the attorney.

Dave: So what did you write in the resolution?

Mark: I did not write the resolution, our attorney did and that is why I told Greg at the time that there are a couple of things in here that I would like to discuss and that is one of them that I think it should be the commissioners who should be the board of appeals and what they normally do they would appoint a hearing officer that they would meet with on Monday and then he would make a determination and take it before the commissioners and the commissioners would vote yes or no to the results of the hearing officer. So that would be a change that I would make in the resolution. I don't know, if you feel uncomfortable with this tonight I don't know that it needs to be voted on. Just be made aware that this is what Mark is planning on doing.

Greg: Right. In my opinion the statute is pretty self-explanatory. The cost statement in the IC15-16-8-6 you know there might be some questions on the billing and all of that but that is pretty much on your cost that you are going to present and I have not seen none of that in the resolution. So I would like to table this.

Mark: That is fine with me.

Greg: If we need to bring it up again we are aware of what your duties are.

Mark: I think with a first and a second just as point of order I think you may have to have a call for a question and you may have to vote on it.

Greg: Okay. The question is WRT Board Resolution 2011-07, do I have a motion to table this resolution?

Peggy: I make a motion to table.

Dave: Yes.

Greg: I have a first and a second. Do I hear any discussion on this matter? Being that there is no further discussion, I would like to entertain the question to table WRT Board Resolution 2011-07. All those in favor say Aye (all board members said Aye).

Dave: That is done but I did want to ask you a question and it doesn't make any difference how it comes out. What are your intentions so far as when you need something done here in the county, what do you plan on doing?

Mark: What do you mean as far as...

Dave: For getting it done.

Mark: We have a very good crew that does our maintenance for our cemeteries, Hales Lawn Service. I would ask them to go out and give me a bid and then I would get a bid from one or two other lawn services and just make sure that they are in line. So far they are by far the cheapest.

Dave: Could I make a suggestion?

Mark: Sure.

Dave: I do know in the past the county has done this and if you would work with them they would probably do it again.

Mark: The County probably would but I think the expense would be far greater than what Hales is.

Dave: The County is going to charge you more than they would?

Mark: I will get a quote from the county.

Dave: From the Highway Dept.

Mark: From the Highway Dept. They are going to drive from Franklin up here to do it. They are going to drive up here to see what it is going to take.

Dave: They drive up here every day.

Mark: They are going to drive up here to see what the work is. They are going to drive up here in order to get a work order for it. They are going to turn around and send a crew up here to do it and they have to do it within my time frame and so there is going to be some more expense because we can't wait a month for them to come back and do it Dave.

Dave: Come on Mark, they are up here.

Peggy: So they charge the township?

Mark: That is what he is suggesting and I am going to find out what the charge would be. I will ask them to give me a quote on it.

Dave: Do it, just for fun.

Greg: On this subject also you are going to establish a budget for this to do your duties. Actually I talked to the commissioners yesterday on this matter and I'm not quite clear on it. It was kind of like end of the meeting thing and he said something about our responsibility for abandoned homes being our responsibility.

Mark: Responsibility in what way?

Greg: The trustee's responsibility.

Mark: In what way, tall grass?

Greg: Yes to basically what the tall grass is.

Peggy: You don't mow the entire yard do you?

Mark: Yes.

Peggy: But if it is 5 acres you do not mow 5 acres?

Mark: We would mow within 200 feet of the homestead by code.

Greg: That was just in passing, I don't want to...

Mark: That is the pushback letter, I got a letter from the attorney, I sent a return a letter disagreeing with him.

Greg: Right, so that is something we need to, it is by statute that we have to fund that so that is something we will need to look at.

Mark: I still think it is the County's responsibility but I think that we need to take care of our own too. When the County is not doing their job, we don't need to be shy in making sure it gets done. The good news is, the good news is I have been able to get a hold of people, all but two people have taken care of their own properties. That is the good news.

Dave: Another comment, in this IC-15 code, cutting and destroying weeds by the board on governmental property. HUD properties are governmental aren't they?

Mark: You know I can't answer that question Dave. I would think governmental property would be like the property that the county owns over here by the school, and at Berry Rd and Smith Valley Rd the right away that they own at Berry and Smith Valley Rd and then the state where they own the right away on 135 and where they own the right away on 37. Those are properties that I would not answer that for you but I could find out.

Dave: HUD is a governmental entity.

Mark: A lot of times what I have run into is like Clary Crossing is tied in with some HUD monies but they are not owned by HUD, they are owned by a private investor.

Dave: I am talking about the vacated homes that HUD has reclaimed.

Mark: You know I don't know which ones those are Dave.

Dave: Well you better read that article.

Mark: Well if we do that I would have to charge them too. I could charge the state and send it to the state auditor. I have read that and there is a way that I go about collecting the money from the state the same as I do from the county.

Greg: I guess we can move to the next part which is your report and I think you probably have done most of your report.

Mark: I do have a little bit of a report. As always we like to let you know how many appointments we have had, how many no shows we have had, and that just gives you a count since March. You have it thru since the last time we met. Since March these are the number of appointments we have had, the number of no shows, cancellations, investigations and approved total assistance. As you can see in June you know we had 26 appointments but we only approved \$856.00. What I'm finding right now is in July we have only had 14 appointments so far but we have already approved

\$2100.00. They run out of money for their electricity and things like that and things go up but in June I think we had a lot of people who just did not qualify and did not meet the standards so we didn't have but a couple and some of them did not return with information that we needed. So a lot of them got disqualified for reasons. So June was low and we are starting to see it pick back up now and as we go into the winter we know that it will continue to go up.

Dave: What about January and February, it is not on here.

Mark: That is because you already have it. We just pick up what we have not given you. This goes from the last meeting until now.

Dave: This is only \$8,500 total.

Mark: If you look at the recap of the finances, it shows you the total we have spent this year. We have spent with the ladies and with everything else I think more than \$30,000 so far this year. I would have to look and see the exact numbers.

Dave: \$34,430.68.

Mark: That is where we are for the total. The girls will tell you I'm pretty fugal because I'm afraid we are going to run out of money in assistance. As a matter of fact Mary Lou will ask me sometimes "are you going to help?"

Peggy: I do have a question, you were talking and I can't find my post-it, it was the CAGIT money or something that we were suppose to send a form back within 10 days? Do you remember what I'm talking about? There was a form we received from DLGF.

Mark: 1782, we sent it back.

Peggy: We did send it back?

Mark: Yes we did send it back. They did not approve any additional funding for us but what I did find out from the workshop, I had to dig and dig and dig to find it, that the monies that they had done on their worksheets the way they came up with that \$79,000 was that was the amount of monies that we were going to be able to be spend for assistance this year. That was the amount of monies that they are sending us. Well the monies that they have always sent us in the past for certified shares unless they were identified as assistance have always been put in township fund. Well I went back and I talked to the auditor's office and I talked to the DLGF and everything else and I referred them back to this worksheet that they prepared and they said well you could put that money this year into your assistance. So we have gone back and done just a correction of deposits and so you are going to see that we have \$50,000 in cash in the assistance. I do not think I will be coming to the board unless something drastically changes, I don't think I will have to come to the board for any additional funding. I may come to you for an additional appropriation. We have the funds for the assistance for probably the rest of the year but we may not have the appropriation because they only allowed us \$79,000 for assistance. Originally we had a \$141,000 budget in assistance and so that took us down to \$79,000 and we are trying to make it work. If we can make it work we will.

Dave: Okay, is that it Mark?

Mark: Cemeteries which we will talk about next time. We do have some headstones in our cemeteries, they looked really great this spring when I looked at them but there

were maybe two stones that were down but since the storms and the weather and the trees and things like that we have some monies that we are going to have to spend on cemeteries next year. The same thing with getting some of the trees taken care of that are causing some of these damages. It may be wiser that we take care of a tree that has limbs that we know are going to fall than maybe have to replace and work on some of the stones. So those are all things that we are going to talk about during the budget process when you see some numbers there. The other thing to be thinking about is I need your thoughts on the reorganization. There is still a large bill out there that the City of Greenwood has sent the township prior to my becoming the trustee that we have not dealt with and we don't have the funds to deal with it and that is part of the appropriation process for next year. I will be getting you as much information as I can on that. I am probably of the opinion the same as of the previous trustee, unless we get a better detailed invoice from the City of Greenwood explaining how they came up with, how they split the charges that I don't believe that it should be a percentage deal but it should be population and the population that they should have used was the 2000 census and not the 2010 census because that was the one that we were under at the time. So those are discussions that are going on but as you look at that and see that professional services has been bumped up quite a bit it is because eventually we are going to have to pay that bill by state statute or we are going to face litigation and still have to pay the bill.

Peggy: How much is the bill? How much are they saying that it is right now?

Mark: It is in the neighborhood of \$20,000. So those things are things that I'm working on that you know until I get a number that I feel comfortable, I'm not going to present it to you.

Dave: What is the \$20,000 for?

Mark: It is for the attorneys and for the consultants and the monies that the reorganization committee spent during the reorganization plan for WRT and the City of Greenwood. The state statute at that time saying that any monies that were spent that the larger political unit pays the bill and then we will charge by population back to the smaller unit and I think that they had guessed at our population numbers instead of taking what it said were census numbers and I believe the census numbers are what we have to go by. They have a new census done so their numbers were newer and larger and our numbers were still in the 2000. So that is for those guys to work out and maybe we can all come to an agreement but I want you in the process but we need to budget for it. That is part of that number that is in there. Anything else?

Greg: I don't have any other questions.

Mark: Oh the other thing is that you will notice and we will talk about it a little bit, I have taken one of the part-time clerks out of the assistance administration in the budget process and put them into the township side. I will just explain. Mary Lou mainly works for case management and takes care of transcribing the minutes for us in here and does some other things and Mary Sue does that but she also spends quite a bit of her time and we block off time at times on the days that she is here to take

care of the banking and take care of vendors payments and things like that. So I have separated their pay, one being for township and one being for assistance. So you are going to see that. That is a better representation of how we are spending the township dollars.

Greg: Does anybody in the audience or any of the board members have any other business?

Peggy: I do. The last meeting that was scheduled I spoke to Greg, I called Greg and I said you know this has not been in The Journal 48 hours prior. I said I have a very difficult time having a meeting when the public has not been notified.

Dave: I agree.

Peggy: So Greg then called Dan Jones at the DLGF and asked his opinion and he said no we could not have a meeting. So that is why we did not have the meeting and I apologize to anybody who may have drove down here but The Daily Journal did not have it. I spoke to somebody at the Daily Journal and they said they could not say yes or no they received it. It may have gone to the wrong number and they did not know where to get it to.

Greg: That was partially my responsibility and fault on that. I sent it in as a fax on Wednesday. The fax kind of got disappeared or whatever and I was actually out of town at the time when I got this call and I wasn't completely sure of the requirement of the 48 hours. I do know now, I did not have access to a computer at the time, I was driving down the road. So I said we will cancel the meeting to make sure.

Peggy: We want to make sure that the public is here.

Greg: Since then I have notified The Daily Journal on this meeting and it wasn't published. Mark sent an email out. I personally spoke to advertising (end of cassette)

Dave: They did not advertise this one either when you asked them?

Greg: No.

Dave: Did you do what I asked you?

Greg: I asked that question. Dave actually said he would pay out of his own pocket to run an ad. The legal ad would be a lot cheaper, it would be in the back but if you want to put one on the second or third page, you are talking about a lot of cost.

Dave: I don't care.

Greg: It is our opinion that we would like to see the public notified of these meetings even if it is one person who shows up. Tom.

Tom: I would suggest the continuation of using page 3 of the Daily Journal which is published every Saturday and every Monday they have the meetings for the following week. I had found out from somebody else that the meeting was tonight. The only reason I knew about the meeting last week was we had meeting here and it was on the door as opposed to putting it on the back. People are used to looking at page 3 for meetings.

Greg: That might get lost back there but we want people to show up and have their input. I'm very disappointed with as many calls and emails that we have send out to the Daily Journal and seen the amount of meetings that were published and ours wasn't.

Mark: Just as a side part, Greg did his job.

Dave: Yes.

Mark: I talked to a reporter. I talked to the advertising people and they had the facts and they said it may have gone to the wrong people but that they had it. This last time he did his job again and this time...

Peggy: I'm not saying he did not do his job. What I'm saying is I'm going to be transparent to the public, they voted for me and I want them to know when there is a meeting.

Mark: This time though not only was it sent to the Journal, it was sent to the Southside Challenger, it was sent to the Times, it was sent to the CG Inc, it was sent to the Daily Journal and we got a response from two of those thanking us over a week ago for sending the notice out. So every one of the papers beat their deadlines, even the Challenger. It could have been in their papers and they just did not publish it.

Dave: That is their choice, they don't have to.

Mark: Right and they have not always in the past either.

Dave: But if I pay for it they are going to publish it.

Mark: If you want to send an ad in I guess you could do that.

Tom: I have heard a lot of interesting things discussed tonight and it is a shame that it wasn't in the paper. If Joe Pete would have been here then the rest of the citizens would have had a summary of what transpired here this evening.

Greg: Actually they have all been notified.

Mark: Joe Pete was talked to in person, he knows about the meeting tonight.

Greg: I'm disappointed.

Mark: The editor of The Daily Journal sent me a personal email thanking me for receiving the notice and I shared that with Greg. I forwarded that to Greg. So if anybody wants to see it.

Greg: Brian.

Brian Smith: The website that I know Jody had set up, [WhiteRiverTownship.org](http://WhiteRiverTownship.org) has there been any contact as far as helping you guys get that because that website would be a really good way for those announcements to be posted with the date of the next township meeting.

Greg: Did you want to talk on your subject any?

Brian Smith: Yes if there is availability. For those of you who don't know me, my name is Brian Smith. I'm working with a group here of residents who are looking into the ability to incorporate Center Grove area into a town. This is not in any way opposing or challenging any type of annexation or merger this is simply looking at this from a brand new perspective which is if the community would like to consider incorporating into a town of Center Grove that we are here to help facilitate that community led study. We are going to be taking some steps within the next few months to really start to actively recruit committee members to help participate in this study. We are looking for local leaders who would like to get involved and share that community study. To let you know we are organized as a non for profit organization and we are operating under the premise that we are not here to either endorse or oppose any type of

legislation or any type of public ballot referendum that might come out we think that is the decision of the community but for folks who are interested in the future of the area and have any suspicion that incorporation might be a viable option for our future and for managing our growth we encourage people to get involved and become a member of the organization. If anybody has any questions see me after the meeting, I'm certainly available for that.

Greg: Anything else?

Mark: It has been brought up to me that they were wondering there had been some discussion earlier at a previous board meeting about having a meeting as to what is going to happen with WRT. I know that was something that you were leading, so do you have an update on that?

Greg: We were going to try to orchestrate a meeting between our state officials, county officials and local officials to see our options for that area, what are our options if we stay status quo, what are our options in a reorganization, what are our options in self incorporation and I was wanting to get all of the legislative officials here for that. Well I tried doing that and unfortunately they had a big to do at the legislature this year and that brought on problems where we could not make that happen. Right now we are still looking at that option, nothing is formulated yet but that is something that I still want to do and that is something that the board still wants to do to explain to the public a little bit more on that area. I know it has been gone thru and everything but I would like to get more of the state and county legislators at the same meeting.

Whether that will be feasible or not, whether that will happen, I'm not sure but I have already given it a try. I have made several calls to all of the legislators from state to local to county and most of them were agreeable to it but the timing to get them all together was a big thing.

Dave: I think they would do it. One thing I would like to throw up in the air, we don't have to talk about it, just think about it for the future, think our changing our Tuesday night meetings to Monday night.

Greg: Okay, yes Tom.

Tom Lantondress: You can do what you want but it would be hard for anybody to go to the Greenwood Council Meeting which meets every other Monday.

Mark: It would also conflict with the school board meetings.

Dave: Oh it would, Greg cancel that.

Mark: We have had a couple of people call and thank us, we did not have anything to do with it, for moving it to Tuesdays so they could attend the school board meetings and this meeting.

Greg: I don't think I see anything else. Do I have a motion to adjourn?

Dave: Amen.

Peggy: I'll second.

Greg: Meeting is adjourned. Thank you for coming.

(notes transcribed 8/8/11)